

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 4:95-96 (DWF)

Plaintiff,

v.

ORDER

Martin Robert Czeck,

Defendant.

This matter is before the Court on the parties' Joint Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c). The Motion is granted.

Defendant Martin Robert Czeck was found guilty of distribution and possession of marijuana, use of a firearm in a drug crime, being an armed career criminal, and conspiracy to distribute marijuana and cocaine. Czeck was sentenced to 240 months' imprisonment. With good time credit, Czeck has served over 97 percent of his sentence and is scheduled to be released June 3, 2021. (Doc. No. 203 at 1–2.) Czeck is housed at Terminal Island FCI which has "experienced significant COVID-19 outbreaks, as have the halfway houses to which he is likely to be released absent Court intervention." (*Id.* at 2.) Czech is at low risk of reoffending and has one low-level disciplinary incident in 2014. (*Id.*) Therefore, the Government and Czeck jointly request that his sentence be reduced to time served and he be released, subject to the supervision conditions previously imposed at the time of sentencing. (*See* Doc. No. 201 (discussing drug testing and substance abuse treatment).) The Probation and Pretrial Services Office has

approved of Czeck's release plan of living with his daughter without any additional conditions or modifications. (*Id.*)

The First Step Act allows the Court to reduce a defendant's term of imprisonment if it finds "extraordinary and compelling reasons." 18 U.S.C. § 3582(c)(1)(A)(i). Here, the parties—the Government, Czeck and his counsel, and Probation—all agree that Czeck should be released. The Court agrees. Czeck has served almost the entirety of his federal sentence and has done so with limited disciplinary incidents. Moreover, Czeck has a stable plan for his re-integration into society following his release. Accordingly, the Court concludes the § 3553(a) factors warrant a reduction in Reed's sentence to time served under the First Step Act.

CONCLUSION

Based upon the foregoing, and on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Joint Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c) (Doc. No. [203]) is **GRANTED**;
2. Czeck's sentence of 240 months' imprisonment is **REDUCED** to time served under 18 U.S.C. § 3582(c)(1)(A);
3. Czeck shall be placed on supervised release and the Court re-imposes the terms and conditions of supervised release as set forth in the Judgment (Doc. No. 59.)

4. To ensure Czeck's health and safety upon release, the Court authorizes the BOP to follow its own internal procedures to coordinate Roberts' release provided that he is released within 10 days of this Order.

Dated: October 26, 2020

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge